

## Listing of Claims

The following listing of claims is intended to supercede all previously filed listings of claims. Changes are shown with deletions in ~~striketrough~~ and additions underlined.

Kindly enter the following amendments to the claims:

### Listing of Claims:

1. (Currently Amended) An apparatus, comprising:  
  
a first inlet, said first inlet adapted to be coupled with a downspout;  
  
a first outlet;  
  
a first route for fluid to pass through said apparatus to said first outlet; and  
  
a primary bypass, said primary bypass adapted to provide a first alternative route for fluid  
  
to pass through said apparatus to said first outlet;  
  
wherein said first route comprises ~~one~~ two or more fluid treatment elements adapted to  
  
treat fluid passing through said apparatus, at least one of said ~~one~~ two or more fluid  
  
treatment elements disposed at a location between said first inlet and said first outlet,  
  
wherein at least one of said ~~one~~ two or more fluid treatment elements comprises a filter  
basket;  
  
wherein at least one of said two or more fluid treatment elements comprises an enclosure  
  
surrounding an absorbent material capable of filtering hydrocarbons from said fluid.  
  
~~a first route for fluid to pass through said apparatus to said first outlet;~~  
  
~~and~~  
  
~~a primary bypass, said primary bypass adapted to provide a first alternative route for fluid~~  
  
~~to pass through said apparatus to said first outlet.~~

2. (Cancelled)
3. (Currently Amended) The apparatus of claim 1, wherein said enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid comprises a filter cartridge. ~~filter element comprises a filter cartridge.~~
4. (Cancelled).
5. (Previously Presented) The apparatus of claim 1, wherein said first inlet is coupled with said downspout at a location on said downspout subsequent to a downspout inlet.
6. (Previously Presented) The apparatus of claim 5, wherein said first outlet is coupled with said downspout at a location on said downspout prior to a downspout outlet.
7. (Previously Presented) The apparatus of claim 6, wherein said apparatus is entirely insertable into said downspout at a location between a downspout inlet and a downspout outlet.
8. (Cancelled).
9. (Cancelled).
10. (Currently Amended) The apparatus of claim 1, further comprising:  
an outer housing, said outer housing adapted to contain at least one of said ~~one~~ two or more fluid treatment elements.
11. (Cancelled)
12. (Currently Amended) The apparatus of claim 1, wherein said primary bypass passes fluid through said apparatus via said first alternative route during periods when at least one of said ~~one~~ two or more ~~filtration~~ fluid treatment elements are unable to handle the volume of fluid passing through said apparatus.

13. (Previously Presented) The apparatus of claim 1, further comprising:  
a secondary bypass distinct from said primary bypass, said secondary bypass adapted to provide a second alternative route for fluid to pass through said apparatus.
14. (Original) The apparatus of claim 1, further comprising:  
a second outlet, said second outlet adapted to direct fluid away from said downspout.
15. (Original) The apparatus of claim 14, wherein at least a portion of fluid passing through said second outlet is water that has been treated to be of sufficient quality for personal or commercial use.
16. (Original) The apparatus of claim 14, wherein at least a portion of fluid passing through said second outlet is potable water.
17. (Original) The apparatus of claim 1, further comprising:  
one or more applications of chitosan disposed at one or more locations about said apparatus.
18. (Previously Presented) The apparatus of claim 1, further comprising:  
a valve, said valve adapted to direct fluid toward one or more downspout outlets, toward one or more other destinations, or some combination thereof.
19. (Currently Amended) A downspout filter, comprising:  
a first inlet, said first inlet adapted to be coupled with a downspout;  
a first outlet;  
~~one~~ two or more fluid treatment elements adapted to treat fluid passing through said downspout filter wherein at least one of said ~~one~~ two or more fluid treatment elements comprises a filter basket;

wherein at least one of said two or more fluid treatment elements comprises an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid;

a first route for fluid to pass through said downspout filter to said first outlet; and

a first bypass, said first bypass adapted to provide an alternative route for fluid to pass through said downspout filter to said first outlet.

20. (Canceled)

21. (Currently Amended) The downspout filter of claim 19, wherein said enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid ~~filter element~~ comprises a filter cartridge.

22. (Cancelled).

23. (Previously Presented) The downspout filter of claim 19, wherein said first inlet is coupled with said downspout at a location on said downspout subsequent to a downspout inlet, and wherein said first outlet is coupled with said downspout at a location on said downspout prior to a downspout outlet.

24. (Currently Amended) The downspout filter of claim 19, further comprising:  
a housing, said housing adapted to contain at least one of said ~~one~~ two or more fluid treatment elements;  
a second outlet, said second outlet adapted to direct fluid away from said downspout; and  
a valve, said valve adapted to direct fluid toward one or more downspout outlets, toward one or more other outlets leading away from said downspout, or some combination thereof.

25. (Previously Presented) The downspout filter of claim 24, wherein at least a portion of fluid passing through said second outlet is water of sufficient quality for personal or commercial use.
26. (Previously Presented) The downspout filter of claim 24, wherein at least a portion of water passing through said second outlet is potable water.
27. (Original) The downspout filter of claim 19, further comprising:  
one or more applications of chitosan disposed at one or more locations about said downspout filter.
28. (Previously Presented) The downspout filter of claim 19, further comprising:  
a secondary bypass distinct from said first bypass, said secondary bypass adapted to provide a second alternative route for fluid to pass through said downspout filter.
29. (Currently Amended) An apparatus, comprising:  
a means for receiving fluid from a downspout;  
a first means for passing said fluid out of said apparatus;  
a means for treating said fluid as it passes through said apparatus, said means for treating said fluid being disposed at a location between a downspout inlet and a downspout outlet wherein said fluid treatment means comprises a filter basket and an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid; and  
a primary means for bypassing said fluid treating means, said primary bypassing means adapted to provide a first alternative route for fluid to pass through said apparatus to said first means for passing fluid out of said apparatus.

30. (Previously Presented) The apparatus of claim 29, wherein said first means for passing fluid out of said apparatus passes fluid back into said downspout.
31. (Cancelled)
32. (Currently Amended) The apparatus of claim 30, wherein said ~~filter element~~ enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid comprises a filter cartridge.
33. (Cancelled)
34. (Previously Presented) The apparatus of claim 29, wherein said primary fluid bypassing means passes fluid through said apparatus via said first alternative route during periods when said fluid treatment means is unable to handle the volume of fluid passing through said apparatus.
35. (Previously Presented) The apparatus of claim 29, further comprising:  
a secondary means for bypassing said fluid treatment means, said secondary bypassing means adapted to provide a second alternative route for fluid to pass through said apparatus.
36. (Previously Presented) The apparatus of claim 29, wherein at least a portion of fluid passing out of said apparatus is water that has been treated to be sufficient quality for personal or commercial use.
37. (Previously Presented) The apparatus of claim 29, wherein at least a portion of fluid passing out of said apparatus is potable water.
38. (Original) The apparatus of claim 29, further comprising:  
a means for applying chitosan disposed at one or more locations about said apparatus.

39. (Previously Presented) The apparatus of claim 29, further comprising:  
a diverting means, said diverting means adapted to direct fluid toward a downspout outlet, toward one or more other destinations, or some combination thereof.
40. (Currently Amended) A method of treating water runoff, comprising:  
diverting storm water from one or more surfaces of an elevated structure to one or more water collection points;  
passing said water from at least one of said one or more water collection points into a water filtration inlet;  
filtering at least a portion of said water wherein said filtering comprises passing said water through a filter basket;  
filtering and separating hydrocarbons from said water;  
providing a first route for said water to pass through the apparatus to one or more water collection points;  
providing an a bypass route for said water to pass through the apparatus to one or more water collection points;  
and  
passing said filtered water through a water filtration outlet.
41. (Currently Amended) A method for treating fluid, comprising:  
~~selecting a downspout;~~  
receiving fluid from a downspout ~~inserting a downspout filter into said downspout;~~  
filtering said fluid with a filter basket in a downspout filter, said downspout filter having a first inlet adapted to be coupled with said downspout, a first outlet disposed at a

location subsequent to said first inlet, a first route for fluid to pass through said downspout filter to said first outlet, a bypass adapted to provide an alternate route for fluid to pass through said downspout filter to said first outlet and one or more fluid treatment elements adapted to treat fluid passing through said downspout filter wherein said one or more fluid treatment elements include ~~comprise a~~ the filter basket;

filtering and separating hydrocarbons from said fluid;

and

permitting fluid to ~~pass through~~ return to said downspout.

42. (Cancelled).
43. (Cancelled).
44. (Currently Amended) The method of claim 41 ~~42~~, further comprising the step of:  
directing at least a portion of said fluid from said downspout filter toward a second outlet of said downspout filter after said fluid has passed through said downspout filter.
45. (New) The apparatus of claim 1, wherein said absorbent material includes perlite.
46. (New) The downspout filter of claim 19, wherein said absorbent material includes perlite.
47. (New) The apparatus of claim 29, wherein said absorbent material includes perlite.